



**JOSEPH KELLY**  
TREASURER AND TAX COLLECTOR

## COUNTY OF LOS ANGELES TREASURER AND TAX COLLECTOR

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March 01, 2016

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**AUTHORIZE THE TREASURER AND TAX COLLECTOR TO EMPLOY A  
RETIRED COUNTY EMPLOYEE ON A TEMPORARY BASIS  
ALL DISTRICTS  
3 VOTES**

### **SUBJECT**

Request approval for the Treasurer and Tax Collector to rehire Glenn Byers as an Assistant Treasurer and Tax Collector, as a 120 day retiree, to provide technical oversight on upcoming debt financings in the Treasurer and Tax Collector's Public Finance and Investments Branch.

### **IT IS RECOMMENDED THAT THE BOARD:**

1. Find that, as a result of Mr. Byers' retirement on January 29, 2016, it is necessary to maintain continuity in the oversight of key functions during a pivotal time in the Treasurer and Tax Collectors Office, and that Mr. Byers is uniquely qualified to provide this critical leadership on a temporary basis.
2. Approve the Treasurer and Tax Collector's request to allow Mr. Byers to continue in his current role as Assistant Treasurer and Tax Collector, effective March 1, 2016, at the rate of \$83.47 per hour for up to 960 total hours of work in a fiscal year, which is consistent with his salary level at the time of his retirement.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Glenn Byers retired on January 30, 2016. Due to the subsequent transfer of a Division manager in the Branch to the Chief Executive Office, the Department requires short-term support while the recruitment processes for their replacements are completed. The Department hopes to complete the recruitment for the Assistant Treasurer and Tax Collector position by early summer. If approved by your Board, Mr. Byers will be rehired as a retiree to provide critical assistance during the 2016 Tax and Revenue Anticipation Note (TRAN) financing, including visits with each of the three credit rating agencies in New York in May, and to provide guidance on several potential long term financing projects. Mr. Byers is uniquely qualified to provide this assistance, having had management responsibility for the County's TRAN financing prior to his retirement.

Under the California Public Employees' Pension Reform Act of 2013 (PEPRA), a person who retires from the County may serve without reinstatement from retirement or loss or interruption of benefits provided by the retirement system before a period of 180 days following the date of retirement, as long as the department can certify that it is necessary to fill a critical position and the hiring is approved by the Board of Supervisors in a public meeting. The recommended action will satisfy these requirements under PEPRA.

Additionally, the Los Angeles County Employee Retirement Association (LACERA) requires that members who retire before the Normal Retirement Age of their retirement plan must achieve a 90 day bona fide separation of service from the County prior to reemployment, in order to comply with Internal Revenue Service requirements. The LACERA Board of Retirement established the Normal Retirement Age for members in Plan D as 57. Since Mr. Byers was older than the Normal Retirement Age at retirement, the requirement that he wait 90 days to commence reemployment is not applicable.

### **Implementation of Strategic Plan Goals**

Approval of these recommendations will further the Los Angeles County Strategic Plan goal of Operation Effectiveness/Fiscal Sustainability by ensuring appropriate management focus on important debt financings.

### **FISCAL IMPACT/FINANCING**

The cost of these recommended actions will be absorbed within the Treasurer and Tax Collector's existing budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The recommended action is in conformance with the California Public Employee's Pension Reform Act of 2013. The requirement by the Internal Revenue Service that LACERA members achieve a bona fide separation of service prior to temporary reemployment with the County is not applicable because Mr. Byers' age at retirement exceeded the normal retirement age for Plan D members.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

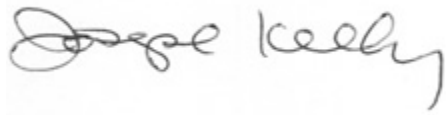
Implementation of this recommendation will ensure appropriate management of upcoming debt financings.

The Honorable Board of Supervisors

3/1/2016

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Joseph Kelly". The signature is fluid and cursive, with the first name "Joseph" written in a more compact, looped style, and the last name "Kelly" written in a more open, flowing style.

Joseph Kelly

Treasurer and Tax Collector

JK:KK:pabPb/brdltr  
/byers120

c: Chief Executive Officer  
Auditor-Controller  
County Counsel  
Executive Office, Board of Supervisors  
Department of Human Resources  
LACERA